

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DANIEL BURGESS, }
Plaintiff(s), } Case No. 2:15-cv-01828-JCM-NJK
vs. } ORDER
CLARK COUNTY SCHOOL DISTRICT, et al., } (Docket No. 22)
Defendant(s). }

Pending before the Court is a discovery plan proposing a discovery period of 329 days. *See* Docket No. 22 at 2. The discovery plan seeks a discovery period that is nearly double the presumptively reasonable discovery period. *See* Local Rule 26-1(e)(1). In seeking such an expansive discovery period, the parties rely in significant part on the fact that an arbitration for reinstatement is pending. *See* Docket No. 22 at 2.¹ While the parties assert that the outcome of that arbitration may impact this case, they

¹ The parties also rely on the fact that they expended time briefing the pending motion to dismiss and previously discussed the possibility of requesting an early neutral evaluation. Docket No. 22 at 2-3. These proffered reasons are plainly insufficient to warrant doubling the presumptively reasonable discovery plan. *Cf. Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013) (“The Federal Rules of Civil Procedure do not provide for automatic or blanket stays of discovery when a potentially dispositive motion is pending” (quoting *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011)); *United States v. Jaynes Corp.*, 2015 U.S. Dist. Lexis 82928, *3 (D. Nev. June 22, 2015) (collecting cases indicating that a decision to defer discovery while the parties attempt to settle a case does not justify extending discovery deadlines).

1 provide scant details about the arbitration proceedings. Most notably, they fail to explain the schedule
2 for the arbitration, including when an arbitral decision is expected.

3 The Court hereby **SETS** a hearing on the discovery plan for 10:00 a.m. on February 3, 2016, in
4 Courtroom 3B.

5 IT IS SO ORDERED.

6 DATED: January 28, 2016

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9 NANCY J. KOPPE
United States Magistrate Judge

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